

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

No. 4:12CR00142 JMM

MARK JONES

DEFENDANT

MOTION TO MODIFY CONDITIONS OF RELEASE

In support, Defendant states:

1. This matter is currently set for trial on November 26, 2012.
2. Mr. Jones is currently out on Conditions of Release. One of those conditions require that he be on a electronic monitoring. He has been on electronic monitoring for approximately three (3) months. According to Jones, he has complied with all conditions of release. We are requesting that he be removed from electronic monitoring for the following reason:
  3. Mr. Jones is a part-time stand-up comedian and regularly is offered contracts to perform in Arkansas, Memphis, and Oklahoma. Prior to his arrest, he was also working in Texas and Louisiana. One of the conditions was for Mr. Jones to maintain employment. Currently, he is working part-time in the HVAC business but only as an “intern” with Williams Heating and Air. This provides little income at this time in light of his “intern” status. Being allowed to travel to the above referenced states will allow him to work more frequently and to receive more income to support his family.
  4. Mr. Paul Washington, Jones’ pre-trial services officer, has no objection to this request. In fact, he advised that his Counsel file the motion as he is approaching the three (3) month mark.

5. Counsel is unable to contact Anne Gardner, AUSA in this matter, as she is on a vacation. Mr. Jones has no objection to awaiting a response from Miss Gardner upon return from her vacation to verify with Mr. Washington his current pre-trial compliance.

WHEREFORE, premises considered, Defendant prays that this motion be granted; that the condition of electronic monitoring be removed as a condition of release.

Respectfully submitted,

/s/ Patrick J. Benca

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*Attorney for Defendant*

#### CERTIFICATE OF SERVICE

I, Patrick J. Benca, certify that the foregoing was filed using the CM/ECF System, which will cause Anne Garnder, AUSA, to be served on July 30, 2012.

/s/Patrick J. Benca

PATRICK J. BENCA